

DOCKET FILE COPY ORIGINAL

Community Consolidated Schools

District 168

21899 S. Torrence Avenue • Sauk Village, Illinois 60411-4497 • 708-758-1610 • FAX 708-758-5929

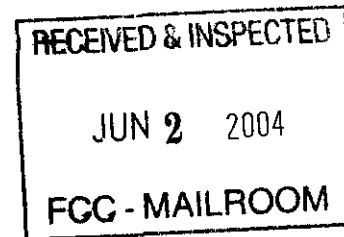
Dr. Thomas E. Ryan
Superintendent of Schools

Mr. George F. Kunkel
Associate Superintendent

May 27, 2004

REQUEST OF WAIVER OF RULES

Federal Communications Commission
Office of the Secretary
445 12th St. S.W.
Washington D. C. 20554



FCC – CC DOCKET – 02-6
LETTER OF APPEAL – WAIVER OF 60 DAY DEADLINE ON APPEALS
FUNDING YEAR 2000 -- FUNDING DENIAL – FRN: 775213
471 APPLICATION NUMBER: 301711

School / Applicant Name: Community Consolidated School District #168
21899 S. Torrence Ave.
Sauk Village, IL 60411-4405
Phone: (708) 758-1610
Fax: (708) 758-5929

Entity Number: 135510
District Contact: George Kunkel or Bob Morse

The applicant (District 168) asks for a waiver of the 60 day deadline on appeals, and a re-hearing on the issues cited below. All told, District 168 was denied funding for an internal connections FRN whose discount level was dropped in error by the SLD. We believe we are entitled to a waiver of the rules and a rehearing of these concerns.

District 168 filed its Form 471 (application #301711) for Funding Year 2002 per the directives of the SLD. The application contained both priority 1 and priority 2 services and goods. The funding commitments for the priority 1 services were subsequently funded and approved by the SLD. However, through a series of events outlined below, the lone internal connections funding request FRN# 775213 – Vendor: Tri-Electronics #301711 was not funded (Attachment A). This Letter of Appeal is to notify the SLD of intent to appeal the attached Funding Commitment Decision Letter, dated June 27, 2003.

In short, it was not funded because the SLD reduced the discount level for this FRN from the original 90% discount category (Attachment B) down to at least 80% (to date, we still don't know the actual discount number). Looking back on the events, District 168 was notified on

No. of Copies rec'd 0
List ABCDE

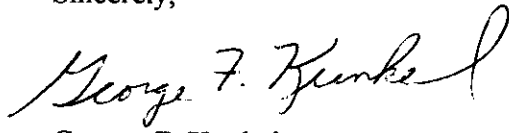
It Takes the Whole Community to Educate a Child

11/04/2002 that it was "As Yet Unfunded" (Attachment C), then on 06/27/2003 told it would not be funded due to insufficient Priority 2 funds. During the interim, and per the attachments here, District 168 responded to the SLD's May 3, 2002 inquiry from Arlene Vera (Attachment D) by submitting information (Attachment E) that showed that the school in question -- Wagoner School -- had in fact a 79.2% Free/Reduced lunch population (319 out of 400), entitling them to a 90% discount level. But, without any notice to the District, on June 27, 2003 they were sent an updated Funding Commitment Decision Letter (FCDL) that the FRN was "Not Funded".

District 168 submits here that the decision to lower the discount level was wrong, without merit, and did not allow them the opportunity to appeal in time. District 168 would now like the opportunity to re-state its case to the SLD, and ask that the SLD review the evidence already submitted to review the FRN in question. We believe the original decision to lower the discount rate was arbitrary and did not comport with the evidence submitted with regards to Wagoner school.

Please do not hesitate to call with any questions or concerns.

Sincerely,


George F. Kunkel

Attachments



Universal Service Administrative Company
Schools & Libraries Division

FUNDING COMMITMENT DECISION LETTER
(Funding Year 2002: 07/01/2002 - 06/30/2003)

ATTACHMENT

A

June 27, 2003

COMMUNITY CONS SCHOOL DIST 168
George Kunkel
1825 215TH PL
SAUK VILLAGE, IL 60411-4405

Re: Form 471 Application Number: 301711
Funding Year 2002: 07/01/2002 - 06/30/2003
Billed Entity Number: 135510
Applicant's Form Identifier: d168yr5f471

Thank you for your Funding Year 2002 E-rate application and for any assistance you provided throughout our review. We have completed review of your Form 471. This letter is to advise you of our decision(s).

FUNDING COMMITMENT REPORT

On the pages following this letter, we have provided a Funding Commitment Report for the Form 471 application cited above. We have reviewed each Discount Funding Request on your Form 471 application and have assigned a Funding Request Number (FRN) to each Block 5. The enclosed report includes a list of the FRNs from your application. The SLD is also sending this information to your service provider(s) so preparations can be made to begin implementing your E-rate discount(s) upon the filing of your Form 486. Immediately preceding the Funding Commitment Report, you will find a guide that defines each line of the Report.

NEXT STEPS

FILE FORM 486. Once you have reviewed this letter and have determined that some or all of your requests have been funded, your next step to facilitate receipt of discounts as featured in this letter will be to file an FCC Form 486 with the SLD. The Form 486 notifies the SLD to begin payment to your service provider and provides certified indication that your technology plan(s) has been approved by an SLD certified Technology Plan Approver. The Form 486 and instructions and the list of SLD certified Technology Plan Approvers can be found on the SLD web site at <www.sl.universalservice.org> or you can call the SLD Client Service Bureau at 1-888-203-8100 and ask that the form be sent to you. The Form 486 dated July 2001 in the lower right corner MUST be used for Funding Year 2002 and for any previous funding years. Submissions of earlier versions of the Form 486 will be returned to you and will not be able to be processed. As you complete Form 486, you should also contact your service provider to verify they have received notice from the SLD of your funding commitments. After the SLD processes your Form 486, we can process invoices for services that have been provided to you.

DEADLINE FOR FORM 486. Form 486 must be postmarked no later than 120 days after the Service Start Date featured on the Form 486 or no later than 120 days after the date of the Funding Commitment Decision Letter, whichever is later. If the Form 486 is postmarked after the later of those two dates, the date 120 days before the Form 486 postmark date will become the start date for discounted services. If the service start date is moved, your funding commitment may be reduced. You are advised to keep proof of the date of mailing of your form(s).

Box 125 - Correspondence Unit, 80 South Jefferson Road, Whippany, New Jersey, 07981
Visit us online at: www.sl.universalservice.org

FUNDING COMMITMENT REPORT

Form 471 Application Number: 301711
Funding Request Number: 775213 Funding Status: Not Funded
Services Ordered: Internal Connections
SPIN: 143010129 Service Provider Name: Tri-Electronics, Inc.
Contract Number: tri-elec-wagoner
Billing Account Number: N/A
Earliest Possible Effective Date of Discount: 07/01/2002
Contract Expiration Date: 06/30/2003
Site Identifier: 69253
Annual Pre-discount Amount for Eligible Recurring Charges: \$.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$20,461.50
Pre-discount Amount: \$20,461.50
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Srvc/Discnt will NOT be funded
Funding Commitment Decision Explanation: Given demand, the funding cap will not
provide for Internal Connections at your approved discount level to be funded. Please
see www.sl.universalservice.org for further details.

202600 TO
Tr. clact \$20,008

USAC

Universal Service Administrative Company
Schools & Libraries Division

FORM 471 RECEIPT ACKNOWLEDGMENT LETTER
(Funding Year 5: 07/01/2002 - 06/30/2003)

January 24, 2002

ATTACHMENT
B

COMMUNITY CONS SCHOOL DIST 168
George Kunkel
1825 215TH PL
SAUK VILLAGE, IL 60411-4405

Re: Form 471 Application Number: 301711
Funding Year 5: 07/01/2002 - 06/30/2003
Applicant's Form Identifier: dl68yr5f471
Billed Entity Number: 135510

NOTICE: This notification is an acknowledgment of RECEIPT and SUCCESSFUL DATA ENTRY of your FCC Form 471, Services Ordered and Certification Form, reflecting \$48,742.50 in total program year pre-discount costs for services. This letter confirms that the Form 471 and signed Form 471 Certification have been received.

This letter does NOT contain any decisions concerning your requests for discounts. Note, however, the three-week response deadline described below.

Please keep this letter for your records. The Form 471 application number cited above is critical for you to link your application to future Schools and Libraries Division (SLD) communications.

Please be advised that the last of your Form 471 application materials identified above was postmarked or received by the SLD on 01/11/2002 and successfully entered into our data system. SLD's Program Integrity Assurance (PIA) Team will now review your application for compliance with program rules. Once the review of your application has been completed, you will receive a Funding Commitment Decision Letter(s) to inform you of the disposition of your application. Until you receive a Funding Commitment Decision Letter from the SLD, you cannot assume that you will receive the discounts for which you are applying.

Your application will be considered within the application filing window wherein all applications that meet the Minimum Processing Standards are treated as though they were received on the same day.

HOW TO USE THIS 471 RECEIPT ACKNOWLEDGMENT LETTER TO CORRECT INFORMATION ON YOUR FORM 471 (ACT WITHIN 3 WEEKS!)

If you find data entry errors on this letter, or you previously identified errors on your Form 471, these can be corrected using this Form 471 Receipt Acknowledgment Letter. Examples of the errors that can be corrected are:

- * Block 1 information (such as contact person or street address);
- * Reductions to Block 5 Funding Requests (Reductions to Block 5 Funding Requests are allowable except for those that would increase your discount percentage due to a change in recipients of that Block 5 service.);
- * Correction of an incorrect SPIN because of a data entry error or because the company has merged with or been acquired by another company (Requests to change service providers for other reasons cannot be accommodated through the Receipt Acknowledgment Process.);

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Visit us online at: <http://www.sl.universalservice.org>

Funding Request Number: 774601
SPIN: 143001912 Service Provider Name: Ameritech-Illinois (aka Illinois Bell Te
Category of Services: Telc Svc(s)
Pre-discount \$ Amount: \$13,630.68
Discount Percentage: 83%

Funding Request Number: 774877
SPIN: 143001912 Service Provider Name: Ameritech-Illinois (aka Illinois Bell Te
Category of Services: Telc Svc(s)
Pre-discount \$ Amount: \$8,568.00
Discount Percentage: 83%

Funding Request Number: 774999
SPIN: 143005351 Service Provider Name: Telegration Inc.
Category of Services: Intr Con
Pre-discount \$ Amount: \$1,363.92
Discount Percentage: 83%

Funding Request Number: 775169
SPIN: 143000196 Service Provider Name: Southwestern Bell Mobile Systems, Inc.
Category of Services: Telc Svc(s)
Pre-discount \$ Amount: \$4,718.40
Discount Percentage: 83%

Funding Request Number: 775213
SPIN: 143010129 Service Provider Name: Tri-Electronics, Inc.
Category of Services: Intr Con
Pre-discount \$ Amount: \$20,461.50
Discount Percentage: 90%



Universal Service Administrative Company
Schools & Libraries Division

FUNDING COMMITMENT DECISION LETTER

(Funding Year 2002: 07/01/2002 - 06/30/2003)

November 4, 2002

ATTACHMENT

C

COMMUNITY CONS SCHOOL DIST 168
George Kunkel
1825 215TH PL
SAUK VILLAGE, IL 60411-4405

Re: Form 471 Application Number: 301711
Funding Year 2002: 07/01/2002 - 06/30/2003
Billed Entity Number: 135510
Applicant's Form Identifier: dl68yr5f471

Thank you for your Funding Year 2002 E-rate application and for any assistance you provided throughout our review. We have completed review of your Form 471. This letter is to advise you of our decision(s).

FUNDING COMMITMENT REPORT

On the pages following this letter, we have provided a Funding Commitment Report for the Form 471 application cited above. We have reviewed each Discount Funding Request on your Form 471 application and have assigned a Funding Request Number (FRN) to each Block 5. The enclosed report includes a list of the FRNs from your application. The SLD is also sending this information to your service provider(s) so preparations can be made to begin implementing your E-rate discount(s) upon the filing of your Form 486. Immediately preceding the Funding Commitment Report, you will find a guide that defines each line of the Report.

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Visit us online at: <http://www.sl.universalservice.org>

FUNDING COMMITMENT REPORT

sttachment
P52

Form 471 Application Number: 301711
Funding Request Number: 775213 Funding Status: As Yet Unfunded
Services Ordered: Internal Connections
SPIN: 143010129 Service Provider Name: Tri-Electronics, Inc.
Contract Number: tri-elec-wagoner
Billing Account Number: N/A
Earliest Possible Effective Date of Discount: 07/01/2002
Contract Expiration Date: 06/30/2003
Site Identifier: 69253
Annual Pre-discount Amount for Eligible Recurring Charges:
Annual Pre-discount Amount for Eligible Non-recurring Charges:
Pre-Discount Amount:
Discount Percentage Approved by the SLD:
Funding Commitment Decision:



Universal Service Administrative Company
Schools & Libraries Division

80 South Jefferson Road
Whippany, NJ 07981
Fax: 973-599-6513

ATTACHMENT
D

FAX TRANSMISSION COVER SHEET

To: GEORGE_KUNKEL
Fax: 17087585929
Subject: YR5 ERATE APPLICATION #301711, LUNCH DATA
From: Arleen Vera (PIA Team2)
Date: May 03, 2002
Time: 11:34:46 AM

YOU SHOULD RECEIVE 2 PAGE(S), INCLUDING THIS COVER SHEET. IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL THE CONTACT SPECIFIED BELOW.

Good morning Mr. Kunkel;

My name is Mrs. Arleen Vera, with the Schools and Library Division.

This is to inform you that in order for me to complete the processing of the above application, I'll need you to fax me the following:

Please be kind and provide me with the lunch data to validate the requested 90% discount for Free/Reduced Lunch for Wagoner Elementary School, only.

If you used a survey to determine eligibility, please provide the following on school letterhead with signature of school official, Principal or Superintendent stating the following:

- (1) Total number of students enrolled
- (2) Total number of forms sent out

Privilege and Confidentiality Notice

The information in this telecopy is intended for the named recipients only. It may contain information that is privileged, confidential or otherwise protected from disclosure. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of this telecopied material is strictly prohibited. If you have received the telecopy in error, please notify us by telephone immediately and mail the original to us at the above address. Thank you.

- (3) Total number of forms returned
- (4) Eligibility from total number of forms returned
- (5) Indicate whether this information is kept on file at the school
- (6) Provide a copy of completed survey with student name blackened out

*Attachment**D**pg 2*

Otherwise, you may send me a Reimbursement Claim Form that you sent to the State on a monthly basis.

Your cooperation is appreciated and I look forward to hearing from you as soon as possible.

Please be advised that according to SLD guidelines, you have 7 calendar days to provide the requested information..

Sincerely;

Mrs. Arleen Vera
Schools and Library Division
Phone 973-864-8373
Fax 973-599-6513

MONTHLY WORKSHEET NATIONAL STATE LUNCH PROGRAM

FAKED
1302

11/13/02

NOVEMBER, 2000.

ATTACHMENT E

		REIMBURSEMENT CLAIM TOTAL			
TYPE "A" LUNCH SERVED TO STUDENTS					
FREE TYPE "A" ILLINOIS & NATIONAL	line 9	9,398	2,922	3,576	2,900
NATIONAL TYPE "A" - FULL PRICE SERVED	line 10	2,487	679	1,187	621
NATIONAL REDUCED PRICE TYPE A		1,696	681	584	431
TOTALS:		13,581	4,282	5,347	3,952
Adult Meals	154 175		57 78	108 02	37
Adult Helper Meals	100		26	38	36
Student Meals Served to Adults	5			5 02	
Total Adult Meals	259 280				
MILK SERVED TO EC, PRE-K, K STUDENTS			KNDRGRTN	EC & PRE-K	
ILLINOIS FREE MILK	line 1	1,305	1,025	280	
ILLINOIS PAID MILK	line 2	890	659	231	
TOTALS:		2,195	1,684	511	
NUMBER OF PROGRAM SCHOOLS: = (3)			<i>to Betty write down Chef Salade & included them in Adult lunch count as well, so they were counted twice.</i>		
A.D.A. OF LUNCH PROGRAM SCHOOLS:		TOTAL			
	line 23	1,361	374	506	481
A.D.A. PERCENTAGE:			95%	95%	92%
NUMBER OF SERVING DAYS:			19	19	19
NUMBER OF FREE MILK SCHOOLS: = (1)					
A.D.A. MILK PROGRAM SCHOOLS:		147.7	KNDRGRTN 71.3	PRE-K 73.2	EC 3.2
NUMBER OF STUDENTS ELIGIBLE FOR:		TOTAL			
FREE LUNCH	line 26	690	197	289	204
REDUCED LUNCH	line 28	126	45	35	46
FREE MILK	line 27	77	77		
ENROLLMENT: (Excluding Split-Session K Milk)		line 31	400	514	520
		1,434			

www.SL.universalservice.org by Friday -

Check if Original Revision No. 14-016-1680-04
Agreement No. 14-016-1680-04
Month and Year NOVEMBER 2009

SPONSOR NAME AND ADDRESS
COMM CONS SCHOOL DIST 168
1825 215TH PL
SAUK VILLAGE, IL 60411-4405

FAILED
4/10/10

NAME OF CONTACT PERSON
NOVA BARANSKI
PHONE (708) 758-1610
E-MAIL ADDRESS

ILLINOIS STATE BOARD OF EDUCATION
School Financial Services Center
Division of Funding and Disbursement Services
100 North First Street
Springfield, Illinois 62777-0001

CHILD NUTRITION PROGRAMS
CLAIM FOR REIMBURSEMENT

Part I NATIONAL SCHOOL LUNCH/SCHOOL BREAKFAST/SPECIAL MILK/ILLINOIS FREE

MILK	SNACK
1305 89.0 162 30	17. Total After-School-Care Snacks served free. 18. Total After-School-Care Snacks served reduced-price. 19. Total After-School-Care Snacks served paid. AREA ELIGIBLE SNACKS 20. Total After-School-Care Snacks served at area eligible sites. STATISTICAL DATA 21. Number of approved National School Lunch/School Breakfast schools. 22. Number of approved Milk only, Illinois Free-only or Milk and Illinois Free schools. 23. Average daily school attendance in Lunch/Breakfast schools this month. 24. Average daily school attendance in Milk only, Illinois Free-only or Milk and Illinois Free schools this month. 25. Highest number of serving days this month. 26. Highest number of students eligible this month for free lunches or breakfasts in National School Lunch/School Breakfast schools. 27. Highest number of students eligible this month for free milk in Milk only, Illinois Free-only or Milk and Illinois Free schools, Child Care Centers, Summer Camps and split-session kindergarten classes. 28. Highest number of students eligible this month for reduced-price lunches/breakfasts in National School Lunch/School Breakfast schools. 29. Highest number of students eligible this month for free Snacks. 30. Highest number of students eligible this month for reduced-price Snacks. 31. Enrollment in National School Lunch/School Breakfast schools (excluding children participating in split-session kindergarten Milk program).
SEVERE NEED BREAKFAST	COMPLETE SEPTEMBER ONLY (for the Period July 1 - June 30)
5. Total National free breakfasts served to students enrolled in approved severe need schools. 6. Total National reduced-price breakfasts served to students enrolled in approved severe need schools. 7. Number of approved Severe Need National School Breakfast Program schools. 8. Average daily school attendance in approved Severe Need National School Breakfast Program schools this month.	1361 148 19 690 77
LUNCH	COMPLETE OCTOBER AND MARCH ONLY ADP - Average Daily Participation
9. Total Illinois free lunches served to students. 10. Total National paid lunches served to students. 11. Total National free lunches served to students. 12. Total National reduced-price lunches served to students.	126 9398 9398 1696
BREAKFAST	ADP - Private For-Profit Centers
13. Total of Illinois free breakfasts served to students (Include Severe Need). 14. Total National paid breakfasts served to students. 15. Total National free breakfasts served to students (Include Severe Need). 16. Total National reduced-price breakfasts served to students (Include Severe Need).	1434 7. ADP - Head Start Centers 8. ADP - At-Risk After-School 9. ADP - Homeless Shelters

Part II CHILD AND ADULT CARE FOOD (Centers)

1. Center Average Daily Participation Child Care Centers Outside-School-Hours Centers 2. Highest Number of Serving Days 3. Highest Number of Children Eligible this Month Free Reduced-Price Paid 4. Total Sites Claimed this Month 5. Total Private For-Profit Sites Claimed this Month (attach eligibility form) 6. Total Number of Meals Served Breakfast Free Reduced-Price Paid Lunch Free Reduced-Price Paid Supper Free Reduced-Price Paid At-Risk After-School Snacks Free
--

Part III SUMMER FOOD SERVICE

CHECK ONE <input type="checkbox"/> ADVANCE OR <input type="checkbox"/> CLAIM	1. Period for which the advance/claim is being filed: A. Beginning Date B. Ending Date 2. Total number of days food service is/are to be provided
MEAL SERVICE	TOTAL FIRST MEALS SERVED (Do not include seconds) A. URBAN AND VIENNA B. RURAL AND/OR SELF-PREPARED C. URBAN AND VIENNA D. RURAL AND/OR SELF-PREPARED
3. Breakfast Morning 4. Supplement 5. Lunch Afternoon 6. Supplement 7. Supper	
PROGRAM COST BUDGETED/ACTUAL COST 8. Total Operating Costs 9. Total Administrative Costs 10. Total Income 11. Net Cost of Program (Lines 8 + 9 - 10)	
In connection with the request for a second month's advance operating costs payment, I certify that training sessions for personnel, including site personnel, with regard to program duties and responsibilities have been conducted. In connection with the request for a second month's advance administrative cost payment or final claim, I certify that all sites approved in the administrative budget operated and that there has been no significant change in the projected administrative costs since approval of the administrative budget or filing of preceding claims for funds.	
Part IV CHILD AND ADULT CARE FOOD/DAY CARE HOME	
1. TOTAL NUMBER OF SERVING DAYS	2. TOTAL NUMBER OF HOMES CLAIMED THIS MONTH
Tier I All Higher Tier II All Higher Tier III All Lower Tier IV Mixed	
3. TOTAL NUMBER OF MEALS Served	
Breakfast Higher Lower Lunch Higher Lower Supper Higher Lower Supplement Higher Lower	
4. ACTUAL ADMINISTRATIVE COST CLAIMED FOR THIS MONTH \$	
I certify that to the best of my knowledge and belief this claim is true and correct in all respects, that records are available to support this claim, that it is in accordance with the terms of existing agreements, and that payment therefore has not been received. I understand that this information is being given in connection with the receipt of federal funds and that deliberate misrepresentation may subject me to prosecution under applicable state and federal criminal statutes.	
12-5-00 Date	Nov 10 Signature of Sponsor Representative
	Signature of Hospital Superintendent



Administrator's Decision on Waiver Request

May 11, 2004

George F. Kunkel
Community Consolidated Schools District 168
21899 S. Torrence Avenue
Sauk Village, IL 60411-4497

Re: Your Request for Waiver of the 60-day deadline for appealing an SLD decision. For
Program Year 2002-2003

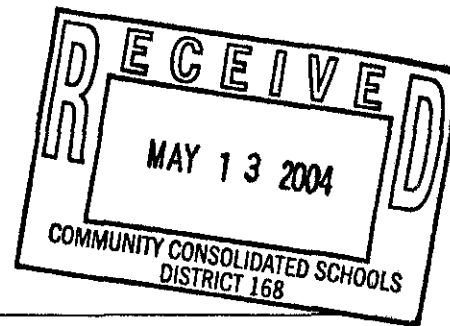
Application Number: 301711
Billed Entity: 135510
Your Correspondence Dated: 3/2/2004

The Schools and Libraries Division received your request, cited above, for a waiver of the 60-day deadline for appealing a decision of the Schools and Libraries Universal Service Support Mechanism (E-Rate).

Federal Communications Commission (FCC) rules do not permit the Schools and Libraries Division (SLD) to consider requests for waivers.

If you believe there is a basis for further examination of your request, you may file a waiver request with the FCC. You should refer to CC Docket No. 02-6 on the first page of your waiver request to the FCC. If you are submitting your waiver request via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing a waiver request with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau via e-mail at question@universalservice.org, toll-free via fax at 1-888-276-8736 or toll-free via phone at 1-888-203-8100. We strongly recommend that you use the electronic filing options.

Schools and Libraries Division
Universal Service Administrative Company



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Visit us online at: <http://www.sl.universalservice.org>

772 1115
4325